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UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

JULIA HUBBARD, et al.,

Plaintiffs,

vs.

TRAMMELL S. CROW, JR., et al.,

Defendants.

Case No. 2:22-cv-7957-FLA-  
 MAA

**PLAINTIFF'S NOTICE OF  
 MOTION AND MOTION FOR  
 EXTENSION OF TIME TO  
 SERVE SUMMONS AND  
 COMPLAINT ON  
 DEFENDANTS**

[[Proposed] Order submitted  
 concurrently herewith]

1 Plaintiffs Julia Hubbard (“Hubbard”) and Kayla Goedinghaus  
 2 (“Goedinghaus”) (or “Plaintiffs”) respectfully move for an extension of time  
 3 under Civil Local Rule 6-1 and Federal Rules of Civil Procedure 6(b), to serve  
 4 the Summons and Complaint in this action on the remaining Defendants Dr.  
 5 Mrugeshkumar Shah (“Shah”), Michael Cain (“Cain”), Philip Ecob (“Ecob”),  
 6 H.J. Cole (“Cole”), Kurt Knewitz (“Knewitz”), Paul Pendergrass  
 7 (“Pendergrass”), Ralph Rogers (“Rogers”),  
 8 Richard Butler (“Butler”), Mark Molina (“Molina”), Shawn Mayer (“Shawn  
 9 Mayer”), Jade Mayer (“Jade Mayer”), Integrity Based Marketing, LLC, Storm  
 10 Fitness Nutrition, LLC, Ultra Combat Nutrition, LLC, EcoLoft Homes LLC,  
 11 and Elevated Wellness Partners LLC (collectively the “Unserved  
 12 Defendants”). This is Plaintiffs’ first motion for an extension. Hubbard and  
 13 Goedinghaus acknowledge that this process is taking longer than might have  
 14 been anticipated, and that the location of some of the Unserved Defendants  
 15 is likely to cause additional delay; but Hubbard and Goedinghaus  
 16 respectfully seek relief so that they can continue in their efforts.

## 17 **I. BACKGROUND**

18 On November 1, 2022, Hubbard and Goedinghaus filed their  
 19 Complaint (Dkt. No. 1) against Defendants Trammell S. Crow, Jr., Dr.  
 20 Benjamin Todd Eller, Richard Hubbard, Dr. Melissa Miller, Dr. Joseph Bolin,  
 21 Dr. Scott Woods, Dr. Mrugeshkumar Shah, R Michael Cain, Coe Juracek,  
 22 Philip Ecob, H.J. Cole, Texas Ranger Cody Mitchell, Kurt Knewitz, Paul  
 23 Pendergrass, Ralph Rogers, Robert Pruitt, Scott Brunson, Case Grover,  
 24 Richard Butler, Marc Molina, Michael Hynes, Jr., Shawn Mayer, Jade Mayer,  
 25 RCI Hospitality Holdings, Inc., Integrity Based Marketing, LLC, Stporm

1 Fitness Nutrition, LLC, Ultra Combat Nutrition, LLC, Ecolift Homes LLC  
2 And Elevated Wellness Partners LLC (the “Defendants”) for the violation of  
3 Human Trafficking Laws 18 U.S.C §§ 1589, 1591(a) and the violation of the  
4 Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1962(c).  
5 Hubbard and Goedinghaus understand that some of the Unserved Defendants  
6 are corporations with their principal place of business in Texas, USA.  
7 However, for over two months, Hubbard and Goedinghaus have undertaken  
8 diligent efforts to serve all Defendants via personal and electronic service.

9 Hubbard and Goedinghaus engaged the services of two firms–ABC  
10 Legal and Civil Process Direct, LLC–specializing in service of civil process.  
11 Between November 11, 2022, and February 1, 2023, Hubbard and  
12 Goedinghaus sent the Summons and Complaint in this action to Defendants  
13 either via email or to their last known address. However, Hubbard and  
14 Goedinghaus have received no answer, the Unserved Defendants’ properties  
15 have been or appeared vacant, or service processors been informed that the  
16 Defendants are unknown. After a diligent search, Hubbard and Goedinghaus  
17 have not found any other address to personally serve the Unserved  
18 Defendants, the Summons and Complaint.

19 Hubbard and Goedinghaus are currently working on coordinating  
20 service of process on Shah who is currently in federal prison in Dallas  
21 County.

22 On December 31, 2022, Hubbard and Goedinghaus attempted to serve  
23 Cain through a processor at his known address at 3883 Turtle Creek Blvd.,  
24 Dallas, Texas 75219. No apartment unit was listed for Cain and the leasing  
25 office was closed. An address search was run on January 12, 2023, for Cain

1 and a most recent address was found for the Cain where Hubbard and  
2 Goedinghaus will make a second attempt to serve Cain.

3 On January 28, 2023, an attempt was made to serve Ecob, but the  
4 processor was unable to access the address as it was a secured building.  
5 Although the processor waited and contacted apartment office, it was to no  
6 avail as they were told that the resident had to grant access and when the  
7 resident was called there was no answer. Again, on January 30, 2023, the  
8 processor made a second attempt at service and while they were able to  
9 confirm that Ecob resided there, Ecob failed to answer the phone to grant  
10 access to the processor for service.

11 On November 11, 2022, an email was sent to Knewitz in attempt to  
12 serve but was not successfully delivered. Again, on December 27, 2022,  
13 service was attempted by a process server, but Knewitz provided address at  
14 6009 W. Parker Rd., #149-189, Plano, TX, 75093 was a Pack n Mail Shoppe.

15 On November 11, 2022, an email was sent to Pendergrass' counsel John  
16 Cossum and the processor attempted to serve Pendergrass at his known  
17 address at 6952 Navigation Drive Grand Prairie, Texas 75054. The processor  
18 was informed that Pendergrass had moved, and the new owner would  
19 inform the Defendant. The Defendant called the processor and informed  
20 them that he was out of town and an attempt should be made when he  
21 returned a few weeks from then. Plaintiffs are yet to hear back.

22 On November 11, 2022, an email was sent to Rogers, but the Plaintiffs  
23 are yet to hear back on whether the Summons and Complaint has been  
24 received.

1 An address search was run on Butler, however the result found that the  
2 last known address Hubbard and Goedinghaus have for Butler in Texas, has  
3 been deficient since 2021. Plaintiffs have received a most recent address for  
4 Butler in Phoenix and intend to attempt service again.

5 Molina was emailed on November 11, 2022, but Hubbard and  
6 Goedinghaus received no acknowledgement. A processor attempted to serve  
7 at 3044 Jennifer Ave Brownsville, TX 78521 but was informed that Molina has  
8 relocated. Another attempt was made at Molina's most recent address, but  
9 processor was unable to access the new address.

10 On November 11, 2022, an email was sent to Shawn and Jade Mayer,  
11 but there was no acknowledgement. On February 1, 2023, a processor  
12 attempted service at their address at 1616 Diamond Lake Trail, Justin, Texas  
13 76247. But there was no answer although there was a car parked in the  
14 driveway.

15 Between December 26, 2022, and December 30, 2022 service was  
16 attempted on Integrity Based Marketing, LLC, Storm Fitness Nutrition, LLC,  
17 Ultra Combat Nutrition, LLC, EcoLoft Homes LLC, and Elevated Wellness  
18 Partners LLC. However, process servers were informed either that the  
19 Unserved Defendants were no longer listed at their given addresses or that  
20 no such company occupied the building. Hubbard and Goedinghaus have  
21 not yet found any other address to personally serve the Unserved  
22 Defendants.

## 23 II. ARGUMENT

24 The Court should grant Hubbard and Goedinghaus's request to extend  
25 the time to serve the Unserved Defendants because they have shown good

1 cause through their repeated attempts to serve the Defendants. Federal Rules  
2 of Civil Procedure 6(b) provides that this Court, in its discretion, may enlarge  
3 the time for good cause shown. Fed. R. Civ. P. 6(b); see also Fed. R. Civ. P.  
4 4(m) (providing that if the plaintiff does show “good cause,” then “the court  
5 must extend the time for service for an appropriate period”). Diligent  
6 attempts to serve defendants establishes good cause. Here Hubbard and  
7 Goedinghaus engaged two different service firms to serve the Defendants not  
8 only at their last known residence but have conducted an address search to  
9 find their most recent addresses to serve the Summons and Complaint.  
10 Hubbard and Goedinghaus have also successfully served at least sixteen out  
11 of the thirty-two Defendants in this action.

12 The Court should grant Plaintiffs’ motion approving the extension of  
13 time to serve process on the remaining Unserved Defendants, Dr.  
14 Mrugeshkumar Shah (“Shah”), Michael Cain (“Cain”), Philip Ecob (“Ecob”),  
15 H.J. Cole (“Cole”), Kurt Knewitz (“Knewitz”), Paul Pendergrass  
16 (“Pendergrass”), Ralph Rogers (“Rogers”), Richard Butler (“Butler”), Mark  
17 Molina (“Molina”), Shawn Mayer (“Shawn Mayer”), Jade Mayer (“Jade  
18 Mayer”), Integrity Based Marketing, LLC, Storm Fitness Nutrition, LLC,  
19 Ultra Combat Nutrition, LLC, EcoLoft Homes LLC, and Elevated Wellness  
20 Partners LLC.

1  
2 Dated: February 1, 2023  
3

4 By: 

5 John G. Balestriere\*

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7 302776)\*

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